

**161—4.21(17A) Requests to present additional evidence.**

**4.21(1)** *In general.* A party may request the taking of additional evidence only by establishing that the evidence is material, that good cause existed for failure to present the evidence at the hearing, and that the party has not waived the right to present the evidence.

**4.21(2)** *After proposed decision issued.* If a request to present additional evidence is made after the issuance of the proposed decision by the presiding officer then the request must be filed with the appeal or, by a nonappealing party, within 14 days after the service of the appeal. If the commission grants the motion to present additional evidence, the commission shall remand the case to the presiding officer for the taking of the additional evidence and any appropriate modification of the proposed order.